

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 07-382
Plaintiff,)
v.)
JOSEPH A. JIMICUM, JR.,)
Defendant.)
_____))
DETENTION ORDER)

Offense charged: Aggravated Sexual Abuse (3 counts)

Date of Detention Hearing: August 17, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with an offense involving a victim under the age of 18 under 18 U.S.C. § 2241. There is therefore a rebuttable presumption against defendant as to both

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01 dangerousness and flight risk, under 18 U.S.C. §3142(e).

02 2. Defendant's criminal history includes failures to appear resulting in bench warrants,
03 as well as failures to report to serve his sentence, although the most recent of these is 1998. He
04 is associated with an alias name and three dates of birth. His residential history is sporadic, he is
05 unemployed, and has a history of controlled substance abuse. Despite the efforts of Pretrial
06 Services, an adequate residential placement was not able to be identified that would satisfy the risk
07 of danger to other persons and to the community.

08 3. Taken as a whole, the record does not effectively rebut the presumption that no
09 condition or combination of conditions will reasonably assure the appearance of the defendant as
10 required and the safety of the community.

11 It is therefore ORDERED:

- 12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;
- 16 (2) Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;
- 18 (3) On order of a court of the United States or on request of an attorney for the
19 Government, the person in charge of the corrections facility in which defendant is
20 confined shall deliver the defendant to a United States Marshal for the purpose of
21 an appearance in connection with a court proceeding; and
- 22 (4) The clerk shall direct copies of this Order to counsel for the United States, to

counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 17th day of August, 2007.

Mary Alice Theiler
Mary Alice Theiler
United States Magistrate Judge